

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LOCAL 67, OPERATIVE PLASTERERS
AND CEMENT MASONS INTERNATIONAL
ASSOCIATION, AFL-CIO,

Plaintiffs,

CASE NO. 04-CV-73022

-vs-

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

GEM MANAGEMENT COMPANY, INC.,

Defendants.

**ORDER GRANTING PLAINTIFF'S PETITION FOR WRIT OF EXECUTION AND
OTHER PROCEEDINGS SUPPLEMENTAL TO JUDGMENT**

Before the Court is Plaintiff Local 67, Operative Plasterers and Cement Masons International Association, AFL-CIO's March 14, 2008 Petition for Writ of Execution and Other Proceedings Supplemental to Judgment. (Dkt. No. 126). On March 28, 2008, Defendant GEM Management Company, Incorporated responded.

Defendant requests the Court deny Plaintiff's Petition because Defendant's counsel has been informed that Defendant has retained a bankruptcy attorney and is contemplating filing for bankruptcy. In light of the fact that Defendant has not filed for bankruptcy, the Court finds Defendant's argument is premature.

Therefore, the Court hereby:

- (1) **GRANTS** a Writ of Execution commanding the United States Marshal to seize the nonexempt portion of the property, rights, and credits of defendant sufficient to satisfy Plaintiff's claim according to law;
- (2) **ALLOWS** Plaintiff to institute proceedings supplementary to judgment including interrogatories and depositions under oath of Defendant's officials and third parties to determine the location and value of Defendant's assets; and

- (3) **GRANTS** injunctive relief prohibiting Defendant from transferring any nonexempt assets or property until satisfaction of the judgment without prior approval of the Court.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: March 31, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on March 31, 2008.

s/Denise Goodine
Case Manager